

AMENDED IN ASSEMBLY AUGUST 15, 2016

AMENDED IN ASSEMBLY AUGUST 1, 2016

AMENDED IN ASSEMBLY JUNE 30, 2016

AMENDED IN ASSEMBLY JUNE 21, 2016

AMENDED IN SENATE AUGUST 31, 2015

AMENDED IN SENATE JULY 6, 2015

AMENDED IN SENATE JUNE 3, 2015

---

---

**SENATE BILL**

**No. 423**

**Introduced by Senator Bates**

February 25, 2015

---

---

An act to add Section 25218.14 to the Health and Safety Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 423, as amended, Bates. Surplus household consumer product waste: management.

Existing law requires the Department of Resources Recycling and Recovery, in consultation with the Department of Toxic Substances Control, to develop and implement a public information program to provide uniform and consistent information on the proper disposal of hazardous substances found in and around homes. Existing law provides for regulation of the disposition of hazardous waste by the Department of Toxic Substances Control.

This bill would require the Department of Toxic Substances Control to convene a Retail Waste Working Group, as prescribed, to consider and make findings and recommendations relating to requirements for

the management of surplus household consumer products, waste reduction opportunities for those products, and waste management requirements, as specified. The bill would require the working group to report these findings and recommendations to the Legislature by June 1, 2017.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 25218.14 is added to the Health and  
2 Safety Code, to read:

3 25218.14. (a) The department shall convene a Retail Waste  
4 Working Group comprised of representatives of large retailers,  
5 small retailers, district attorneys, certified unified program  
6 agencies, nongovernment organizations, *local governments*, other  
7 relevant state agencies as determined by the department,  
8 manufacturers, reverse distributors, and other stakeholders to  
9 consider and make findings and recommendations on the following:

10 (1) Regulatory and statutory requirements that may be  
11 considered confusing or may need clarification or specification  
12 when applied to the overall management by manufacturer,  
13 distributor, supplier, vendor, retail, and reverse logistics facilities  
14 of surplus household consumer products, including products that  
15 can be considered hazardous waste or pharmaceutical waste once  
16 a waste determination is made.

17 (2) Statutory or regulatory recommendations to facilitate and  
18 increase the donation, liquidation, and sale of surplus household  
19 consumer ~~products~~ *products*, and waste reduction opportunities  
20 for those ~~products~~ *products*, and to clarify waste management  
21 requirements to encourage the management of surplus household  
22 consumer products by manufacturer, distributor, supplier, vendor,  
23 retail, and reverse logistics facilities in a manner that is protective  
24 of public health and the environment.

25 (b) For purposes of this section, “surplus household consumer  
26 product” means a household consumer product that cannot or will  
27 not be sold to a consumer through that product’s primary market.

1 (c) By June 1, 2017, the Retail Waste Working Group shall  
2 report the findings and recommendations made pursuant to  
3 subdivision (a) to the Legislature.

O